

## DEPARTMENT OF THE TREASURY

## Internal Revenue Service

## 26 CFR Part 1

[REG-146692-03]

RIN 1545-BC59

## Mortgage Revenue Bonds

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Cancellation of notice of public hearing on proposed rulemaking.

**SUMMARY:** This document provides notice of cancellation of a public hearing on proposed regulations that provide guidance regarding the limitation on the effective rate of mortgage interest for purposes of mortgage revenue bonds issued by State and local governments.

**DATES:** The public hearing originally scheduled for Wednesday, January 28, 2004, at 10 a.m., is cancelled.

**FOR FURTHER INFORMATION CONTACT:** Treena Garrett of the Publications and Regulations Branch, Associate Chief Counsel (Procedure and Administration) (202) 622-7180 (not a toll-free number).

**SUPPLEMENTARY INFORMATION:** A notice of proposed rulemaking and notice of public hearing that appeared in the *Federal Register* on Wednesday, November 5, 2003 (68 FR 62549) announced that a public hearing was scheduled for Wednesday, January 28, 2004, at 10 a.m. in the Auditorium, Internal Revenue Service Building, 1111 Constitution Avenue, NW., Washington, DC. The subject of the public hearing is proposed regulations under sections 103, 141, 143 and 148 of the Internal Revenue Code. The public comment period for these proposed regulations expired on Wednesday, January 7, 2004. Outlines of oral comments were due on Wednesday, January 7, 2004.

The notice of proposed rulemaking and notice of public hearing, instructed those interested in testifying at the public hearing to submit a request to speak and an outline of the topics to be addressed. As of Thursday, January 15, 2004, no one has requested to speak. Therefore, the public hearing scheduled for Wednesday, January 28, 2004, is cancelled.

**LaNita Van Dyke,**

*Acting Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedure and Administration).*

[FR Doc. 04-1225 Filed 1-20-04; 8:45 am]

BILLING CODE 4830-01-P

## FEDERAL COMMUNICATIONS COMMISSION

## 47 CFR Parts 0, 1, 61, and 69

[CC Docket Nos. 96-262, 94-1, 98-157, and CCB/CPD File No. 98-63; DA 04-31]

**Parties Asked To Refresh Record Regarding Reconsideration of Rules Adopted in 1999 Access Reform Docket**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** In this document, the Commission invites parties that filed petitions for reconsideration and clarification of rules that the Commission adopted in the 1999 access charge reform docket to update the record. These parties may file any new information or arguments that they believe to be relevant to deciding only those issues that they previously raised in their petitions. Because the petitions for reconsideration and clarification were filed several years ago, the intervening developments and passage of time may have caused the record to become stale. If these parties do not indicate an intent to pursue their previous petitions, the Commission will deem them withdrawn and will dismiss them.

**DATES:** Comments are due on or before February 20, 2004, and reply comments are due on or before March 8, 2004.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554. See **SUPPLEMENTARY INFORMATION** for filing instructions.

**FOR FURTHER INFORMATION CONTACT:** Marvin F. Sacks, Attorney-Advisor, Wireline Competition Bureau, Pricing Policy Division, (202) 418-1520 or via the Internet at [marvin.sacks@fcc.gov](mailto:marvin.sacks@fcc.gov).

**SUPPLEMENTARY INFORMATION:** Below is a summary of the Public Notice that the Commission released on January 8, 2004. In that document, the Commission invites parties to refresh the 1999 Access Reform Docket, CC Docket Nos. 96-262, 94-1, 98-157, and CCB/CPD File No. 98-63 adopted August 5, 1999, and released August 27, 1999. When filing comments and reply comments, parties should reference CC Docket Nos. 96-262, 94-1, 98-157, and CCB/CPD File No. 98-63, and conform to the filing procedures contained in the Notice. All pleadings may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. Comments filed through the ECFS can be sent as an electronic file

via the Internet to <http://www.fcc.gov/cgb/ecfs>. Commenters must transmit one electronic copy of the comments to each docket number referenced in the caption. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and should include the following words in the body of the message, "get form." A sample form and directions will be sent in reply. Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket number appears in the caption of this proceeding, commenters must submit two additional copies for each additional docket number. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE., Suite 110, Washington, DC 20002. The filing hours at this location are 8 a.m. to 7 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW., Washington, DC 20554. The Commission advises that electronic media not be sent through USPS. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW., Suite TW-A325, Washington, DC 20554. Two (2) copies of the comments and reply comments should also be sent to Deena Shetler, Deputy Division Chief, Pricing Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, SW., Room 5-A121, Washington, DC 20554. Parties shall also serve one copy with Qualex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, (202) 863-2893, or via e-mail to [qualexint@aol.com](mailto:qualexint@aol.com). The original petitions for reconsideration and clarification filed by the parties in

CC Docket Nos. 96–262, 94–1, 98–157, and CCB/CPD File No. 98–63 are available for public inspection and copying during business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554. The documents may also be purchased from Qualex International, telephone (202) 863–2893, facsimile (202) 863–2898. This document may also be purchased from Qualex International and is available via the Internet at [http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/DA-03-3961A1.pdf](http://hraunfoss.fcc.gov/edocs_public/attachmatch/DA-03-3961A1.pdf).

### Synopsis

1. The Commission on January 8, 2004, released a Public Notice that seeks to refresh the record in the 1999 Access Reform Docket. In this docket, the Commission on August 27, 1999 released the *Access Reform Fifth Report and Order*, published at 64 FR 60122 (November 4, 1999) in CC Docket Nos. 96–262, 94–1, 98–157, and CCB/CPD File No. 98–63, FCC 99–206. This order established a framework for granting greater pricing flexibility for price cap carriers as competition develops. Bell Atlantic, GTE, Access Solutions Corporation, and the United States Telephone Association subsequently filed petitions for reconsideration and clarification of that order.

2. Since then, the Commission has received and granted a number of petitions seeking pricing flexibility. In addition, AT&T recently asked the Commission to revisit pricing flexibility issues, and parties have responded by filing extensive comments.

3. Because the petitions for reconsideration and clarification were filed several years ago, the intervening developments and passage of time may have rendered the records developed by those petitions stale. Issues raised in the pending petitions may have become moot or irrelevant. As a result, it is not clear what issues arising out of the *Access Reform Fifth Report and Order*, if any, remain in dispute.

4. For these reasons, the Commission requests that parties that filed petitions for reconsideration and clarification of the *Access Reform Fifth Report and Order* now file a supplemental notice indicating those issues that they still wish to be reconsidered or clarified. These parties may refresh the record with any new information or arguments that they believe to be relevant to deciding only those issues that they previously raised in their petitions for reconsideration and clarification. To the extent that these parties do not indicate an intent to pursue these petitions, the

Commission will deem them withdrawn and will dismiss them.

Federal Communications Commission.

**Tamara Preiss,**

*Division Chief, Pricing Policy Division,  
Wireline Competition Bureau.*

[FR Doc. 04–1195 Filed 1–20–04; 8:45 am]

**BILLING CODE 6712–01–P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 15

[ET Docket No. 03–327; FCC 03–289]

### Interference Temperature Operation

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document proposes a new interference temperature model for quantifying and managing interference. This new concept could shift the current method for assessing interference, basing it on the actual radio frequency environment. The Notice of Inquiry requests comment, information and research on a number of issues relating to the development and use of the interference temperature metric and for managing a transition from the current transmitter-based approach to the new interference temperature paradigm. The Notice of Proposed Rule Making proposes technical rules that would establish interference temperature limits and procedures for assessing the interference temperature to permit expanded unlicensed operation in the 6525–6700 MHz and 12.75–13.25 GHz bands.

**DATES:** Comments must be filed on or before April 5, 2004, and reply comments must be filed on or before May 5, 2004.

**FOR FURTHER INFORMATION CONTACT:** Gary Thayer, (202) 418–2290, John Reed, (202) 418–2455, or Ahmed Lahjouji, (202) 418–2061, Office of Engineering and Technology.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's *Notice of Inquiry and Notice of Proposed Rule Making*, FCC 03–289, adopted November 13, 2003, and released November 28, 2003. The full text of this document is available for inspection and copying during regular business hours in the FCC Reference Center (Room CY–A257), 445 12th Street, SW., Washington, DC 20554. The complete text of this document also may be purchased from the Commission's copy contractor, Natek, Inc., 236 Massachusetts Avenue, NE., Suite 110,

Washington, DC 20002. The full text may also be downloaded at: [www.fcc.gov](http://www.fcc.gov). Alternative formats are available to persons with disabilities by contacting Brian Millin at (202) 418–7426 or TTY (202) 418–7365.

Pursuant to §§ 1.415 or 1.419 of the Commission's rules, 47 CFR 1.415, 1.419, interested parties may file comments on or before April 5, 2004, and reply comments on or before May 5, 2004. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24,121 (1998).

Comments filed through the ECFS can be sent as an electronic file via the Internet at <http://www.fcc.gov/e-file/ecfs.html>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and should include the following words in the body of the message, "get form <your e-mail address>." A sample form and directions will be sent in reply. Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number.

All filings must be sent to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, The Portals, 445 Twelfth Street, SW., Washington, DC 20554. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE., Suite 110, Washington, DC 20002. The filing hours at this location are 8 a.m. to 7 p.m. All hand deliveries must be held together with rubber bands or